

Senate File 2123 - Introduced

SENATE FILE 2123
BY KETTERING

A BILL FOR

1 An Act relating to the operation of all-terrain vehicles on
2 highways, providing a registration fee, and making a penalty
3 applicable.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.117, Code 2009, is amended to read
2 as follows:

3 321.117 Motorcycle, all-terrain vehicle, motorized
4 bicycle, ambulance, and hearse fees.

5 ~~For all motorcycles the annual registration fee shall~~
6 ~~be twenty dollars. For all motorized bicycles the annual~~
7 ~~registration fee shall be seven dollars. When the motorcycle~~
8 ~~is more than five model years old, the annual registration fee~~
9 ~~shall be ten dollars.~~

10 1. The annual registration fee for a motorcycle is twenty
11 dollars. When the motorcycle is more than five model years
12 old, the fee is ten dollars. For purposes of registration
13 under this section, "motorcycle" includes an all-terrain vehicle
14 as provided in section 321.234A, subsection 4A.

15 2. The annual registration fee for a motorized bicycle is
16 seven dollars.

17 3. The annual registration fee for ambulances and hearses
18 ~~shall be~~ is fifty dollars. Passenger car plates shall be
19 issued for ambulances and hearses.

20 Sec. 2. Section 321.234A, subsection 2, Code 2009, is
21 amended to read as follows:

22 2. A person operating an all-terrain vehicle on a highway
23 shall have a valid driver's license ~~and the.~~ Unless registered
24 pursuant to subsection 4A, an all-terrain vehicle shall be
25 operated at speeds of thirty-five miles per hour or less.

26 Sec. 3. Section 321.234A, Code 2009, is amended by adding
27 the following new subsection:

28 NEW SUBSECTION. 4A. a. An all-terrain vehicle with four or
29 more wheels and a combustion engine having a piston or rotor
30 displacement of two hundred centimeters or more may be issued
31 a certificate of title under this chapter and registered as
32 a motorcycle pursuant to section 321.117 to be operated on
33 highways. An all-terrain vehicle registered as a motorcycle is
34 subject to the lighting and equipment requirements applicable
35 to motorcycles under this chapter.

1 *b.* A person shall not operate an all-terrain vehicle
2 registered as a motorcycle on an interstate.

3 Sec. 4. Section 321I.9, unnumbered paragraph 1, Code 2009,
4 is amended to read as follows:

5 Registration under this chapter shall not be required for
6 the following described all-terrain vehicles:

7 Sec. 5. Section 321I.9, Code 2009, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 4. All-terrain vehicles, as defined in
10 section 321.1, which are titled and registered in accordance
11 with section 321.234A, subsection 4A.

12 Sec. 6. Section 321I.31, subsection 1, Code 2009, is amended
13 to read as follows:

14 1. The owner of an all-terrain vehicle acquired on or
15 after January 1, 2000, other than an all-terrain vehicle used
16 exclusively as a farm implement ~~or~~, an all-terrain vehicle
17 titled and registered in accordance with section 321.234A,
18 subsection 4A, or a motorcycle previously issued a title
19 pursuant to chapter 321, shall apply to the county recorder
20 of the county in which the owner resides for a certificate of
21 title for the all-terrain vehicle. The owner of an all-terrain
22 vehicle used exclusively as a farm implement may obtain
23 a certificate of title. A person who owns an all-terrain
24 vehicle that is not required to have a certificate of title
25 may apply for and receive a certificate of title for the
26 all-terrain vehicle and, subsequently, the all-terrain vehicle
27 shall be subject to the requirements of this chapter as if
28 the all-terrain vehicle were required to be titled. All
29 all-terrain vehicles that are titled shall be registered.

30 EXPLANATION

31 This bill allows all-terrain vehicles of a certain size to be
32 operated on noninterstate highways.

33 Under the bill, an all-terrain vehicle that has four or
34 more wheels and a combustion engine having a piston or rotor
35 displacement of 200 centimeters or more may be issued a

1 certificate of title by the county treasurer and registered
2 as a motorcycle for operation on highways, subject to the
3 lighting and equipment requirements applicable to motorcycles.
4 The annual registration fee is \$20, and when the vehicle is
5 more than five model years old, the fee is reduced to \$10.
6 Pursuant to current law, a vehicle subject to registration is
7 also subject to a fee for new registration in the amount of 5
8 percent of the purchase price, payable upon application for a
9 new registration and certificate of title.

10 Currently, a person operating an all-terrain vehicle on
11 a highway is required to have a valid driver's license and
12 limit the vehicle's speed to 35 miles per hour or less. The
13 bill specifies that an all-terrain vehicle registered as
14 a motorcycle is not subject to the 35-mile-per-hour speed
15 limitation, but operation is restricted to noninterstate
16 highways.

17 The bill makes conforming amendments to provide that
18 an all-terrain vehicle that is titled and registered as a
19 motorcycle for operation on highways under Code chapter 321
20 is exempt from the registration requirements for all-terrain
21 vehicles and off-road utility vehicles administered by the
22 department of natural resources under Code chapter 321I.

23 A violation of provisions governing the operation of
24 all-terrain vehicles on a highway is a simple misdemeanor,
25 punishable by a scheduled fine of \$50.